

Message Text

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FM AMCONSUL HONG KONG

TO SECSTATE WASHDC 2900

INFO USMISSION GENEVA

C O N F I D E N T I A L HONG KONG 13939

FOR D/HA - JAMES M. WILSON

E.O. 11652: GDS

TAGS: CVIS SREF VS

SUBJECT: PROJECTED CONDITIONAL ENTRY PROGRAM FOR INDOCHINESE
BOAT CASES

1. SAM FELDMAN, INS DD/HONG KONG, RETURNED FROM ICEM CONFERENCE IN GENEVA WITH INFORMAL PAPER FROM D/HA OUTLINING PROJECTED MOVEMENT OF INDOCHINESE BOAT CASES THROUGH HONG KONG, WHERE THEY WOULD BE ISSUED CONDITIONAL ENTRY DOCUMENT AND/OR NONPREFERENCE IMMIGRANT VISA. WE UNDERSTAND THAT PROJECTED PLAN IS CONTINGENT ON OTHER COUNTRIES TAKING THEIR FAIR SHARE OF REFUGEES. APPROPRIATE ALSO THAT NO FORMAL PROPOSAL HAS BEEN MADE BUT THOUGHT DEPARTMENT MIGHT FIND COMMENT FROM HERE USEFUL.

2. WE ARE INTERESTED IN PLAN AND WANT TO ASSIST. IT WOULD BE STRESSED, HOWEVER, THAT IF WE ARE REQUESTED APPROACH HONG KONG GOVERNMENT (HKG) ON THIS MATTER, WE WOULD HAVE TO ASSURE HKG AT OUTSET THAT:

(A) ALL REFUGEES ENTERING HONG KONG WOULD DEPART WITHIN SPECIFIED TIME. WE ASSUME THEY WOULD COME HERE ON GROUP-BY-GROUP BASIS AND THAT FOLLOWING GROUP WOULD NOT ARRIVE UNTIL PRECEDING GROUP DEPARTS, THUS ENSURING THAT THERE WOULD NOT BE BUILD-UP OF REFUGEES HERE.

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(B) HKG WOULD NOT HAVE LEGAL RESPONSIBILITY FOR REFUGEES

SENT HERE AND WOULD NOT RPT NOT BE ASKED PROVIDE ANY DOCUMENTATION. HKG HAS CONSISTENTLY REFUSED TO BE PROCESSING CENTER OR TO ALLOW REFUGEES ANYTHING MORE THAN TRANSIT STATUS. HKG WOULD NOT GIVE IN ON THIS POINT SINCE IT REGARDS THIS AS POLICY MATTER AFFECTING RELATIONS WITH PRC.

(C) NO PUBLICITY WOULD BE MADE OF THIS PLAN AND NO USE OF IT AS SELLING POINT TO PERSUADE EA COUNTRIES TO ACCEPT BOAT CASES.

3. IF PROJECTED PLAN GOES FORWARD, WE BELIEVE IT IS ESSENTIAL THAT UNHCR BE ABLE TO GUARANTEE HKG THAT ALL EXPENSES IN HONG KONG WOULD BE MET AND THAT EVERY REFUGEE ENTERING HONG KONG UNDER PLAN WOULD DEPART. SINCE REFUGEES WILL BE PRESCREENED AT OTHER POSTS, WE SHOULD BE ABLE TO ASSURE HKG THAT INS/HONG KONG AND CONGEN SHOULD HAVE NO PROBLEM IN ISSUING EVERY REFUGEE COMING HERE CONDITIONAL ENTRY DOCUMENT AND/OR NONPREFERENCE IMMIGRANT VISA PROMPTLY. REALIZE THAT AS MATTER OF LAW WE CANNOT GIVE GUARANTEE TO HKG. UNHCR, ON OTHER HAND, COULD AND SHUCH GUARANTEE MIGHT BE DEMANDED BY HKG.

4. IF PROPOSAL CAN BE WORKED OUT AND BEFORE MAKING FORMAL REQUEST TO HKG, I WOULD MAKE INFORMAL APPROACH TO OFFICIALS IN HKG INCLINED TO BE SYMPATHETIC. MOST APPROPRIATE ONE TO SOUND OUT FIRST WOULD BE HKG POLITICAL ADVISER WHO UNFORTUNATELY PLANS TO DEPART HONG KONG WITHIN FEW WEEKS FOR HOME LEAVE IN UK. WOULD THEREFORE APPRECIATE EARLY REPLY.
CROSS

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